

1 AN ACT in relation to public health.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Halal Food Act.

6 Section 5. Definitions. As used in this Act:

7 "Advertise" means to engage in promotional activities  
8 including, but not limited to, newspaper, radio, Internet and  
9 electronic media, and television advertising; the  
10 distribution of fliers and circulars; and the display of  
11 window and interior signs.

12 "Food", "food product", or "food commodity" means any  
13 food, food product, or food preparation, whether raw or  
14 prepared for human consumption, and whether in a solid or  
15 liquid state, including, but not limited to, any meat, meat  
16 product or meat preparation; any milk, milk product or milk  
17 preparation; and any beverage.

18 "Food commodity in package form" means a food commodity  
19 put up or packaged in any manner in advance of sale in units  
20 suitable for retail sale and which is not intended for  
21 consumption at the point of manufacture.

22 "Halal" means prepared under and maintained in strict  
23 compliance with the laws and customs of the Islamic religion  
24 including but not limited to those laws and customs of  
25 zabiha/zabeeha (slaughtered according to appropriate Islamic  
26 code), and as expressed by reliable recognized Islamic  
27 entities and scholars.

28 Section 10. Deception prohibited.

29 (a) It is a Class B misdemeanor for any person to make  
30 any oral or written statement that directly or indirectly

1 tends to deceive or otherwise lead a reasonable individual to  
2 believe that a non-halal food or food product is halal.

3 (b) The presence of any non-halal food or food product  
4 in any place of business that advertises or represents itself  
5 in any manner as selling, offering for sale, preparing, or  
6 serving halal food or food products only, is presumptive  
7 evidence that the person in possession offers the food or  
8 food product for sale in violation of subsection (a).

9 (c) It shall be a complete defense to a prosecution  
10 under subsection (a) that the defendant relied in good faith  
11 upon the representations of an animals' farm, slaughterhouse,  
12 manufacturer, processor, packer, or distributor, or any  
13 person or organization which certifies or represents any food  
14 or food product at issue to be halal or as having been  
15 prepared under or sanctioned by Islamic religious  
16 requirements.

17 Section 15. Other offenses concerning halal food. It is  
18 a Class B misdemeanor for any person to:

19 (1) falsely represent any animal sold, grown, or  
20 offered for sale to be grown in a halal way to become  
21 food for human consumption;

22 (2) falsely represent any food sold, prepared,  
23 served, or offered for sale to be halal;

24 (3) remove or destroy, or cause to be removed or  
25 destroyed, the original means of identification affixed  
26 to food commodities to indicate that the food commodities  
27 are halal, except that this paragraph (3) may not be  
28 construed to prevent the removal of the identification if  
29 the commodity is offered for sale as non-halal;

30 (4) sell, dispose of, or have in his or her  
31 possession for the purpose of resale as halal any food  
32 commodity to which an animals' farm or slaughterhouse  
33 mark, stamp, tag, brand, label, or other means of

1 identification has been fraudulently attached;

2 (5) label or identify a food commodity in package  
3 form to be halal or possess such labels or means of  
4 identification, unless he or she is the manufacturer or  
5 packer of the food commodity in package form;

6 (6) label or identify an article of food not in  
7 package form to be halal or possess such labels or other  
8 means of identification, unless he or she is the  
9 manufacturer of the article of food;

10 (7) falsely label any food commodity in package  
11 form as halal by having or permitting to be inscribed on  
12 it, in any language, the words "halal" or "helal", or any  
13 other words or symbols, not limited to characters in  
14 Arabic writing, which would tend to deceive or otherwise  
15 lead a reasonable individual to believe that the  
16 commodity is halal;

17 (8) sell, offer for sale, prepare, or serve in or  
18 from the same place of business both unpackaged non-halal  
19 food and unpackaged food he or she represents to be halal  
20 unless he or she posts a window sign at the entrance of  
21 his or her establishment which states in block letters at  
22 least 4 inches in height: "Halal and Non-Halal Foods Sold  
23 Here", or "Halal and Non-Halal Foods Served Here", or a  
24 statement of similar import;

25 (9) sell or have in his or her possession for the  
26 purpose of resale as halal any food commodity not having  
27 affixed thereto the original animals' farm or  
28 slaughterhouse mark, stamp, tag, brand, label, or other  
29 means of identification employed to indicate that the  
30 food commodity is halal; or

31 (10) display for sale, in the same show window or  
32 other location on or in his or her place of business,  
33 both unpackaged food represented to be halal and  
34 unpackaged non-halal food unless he or she:

1 (A) displays over the halal and non-halal food  
 2 signs that read, in clearly visible block letters,  
 3 "halal food" and "non-halal food", respectively, or,  
 4 as to the display of meat alone, "halal meat" and  
 5 "non-halal meat", respectively;

6 (B) separates the halal food products from the  
 7 non-halal food products by keeping the products in  
 8 separate display cabinets, or by segregating halal  
 9 items from non-halal items by use of clearly visible  
 10 dividers; and

11 (C) slices or otherwise prepares the halal  
 12 food products for sale with utensils used solely for  
 13 halal food items.

14 Section 90. The Consumer Fraud and Deceptive Business  
 15 Practices Act is amended by adding Section 2KK as follows:

16 (815 ILCS 505/2KK new)

17 Sec. 2KK. Halal food; disclosure.

18 (a) As used in this Section:

19 "Dealer" means any establishment that advertises,  
 20 represents, or holds itself out as growing animals in a halal  
 21 way or selling, preparing, or maintaining food as halal,  
 22 including, but not limited to, manufacturers, animals' farms,  
 23 slaughterhouses, wholesalers, stores, restaurants, hotels,  
 24 catering facilities, butcher shops, summer camps, bakeries,  
 25 delicatessens, supermarkets, grocery stores, licensed health  
 26 care facilities, freezer dealers, and food plan companies.  
 27 These establishments may also sell, prepare or maintain food  
 28 not represented as halal.

29 "Director" means the Director of Agriculture.

30 "Food" means an animal grown to become food for human  
 31 consumption, a food, a food product, a food ingredient, a  
 32 dietary supplement, or a beverage.

1       "Halal" means prepared under and maintained in strict  
2 compliance with the laws and customs of the Islamic religion  
3 including but not limited to those laws and customs of  
4 zabiha/zebeeha (slaughtered according to appropriate Islamic  
5 codes), and as expressed by reliable recognized Islamic  
6 entities and scholars.

7       (b) Any dealer who grows animals represented to be grown  
8 in a halal way or who prepares, distributes, sells, or  
9 exposes for sale any food represented to be halal shall  
10 disclose the basis upon which those representations are made  
11 by posting the information required by the Director, in  
12 accordance with rules adopted by the Director, on a sign of a  
13 type and size specified by the Director, in a conspicuous  
14 place upon the premises at which the food is sold or exposed  
15 for sale, as required by the Director.

16       (c) Any person subject to the requirements of subsection  
17 (b) does not commit an unlawful practice if the person shows  
18 by a preponderance of the evidence that the person relied in  
19 good faith upon the representations of an animals' farm,  
20 slaughterhouse, manufacturer, processor, packer, or  
21 distributor of any food represented to be halal.

22       (d) Possession by a dealer of any animal grown to become  
23 food for consumption or any food not in conformance with the  
24 disclosure required by subsection (b) with respect to that  
25 food is presumptive evidence that the person is in possession  
26 of that food with the intent to sell.

27       (e) Any dealer who grows animals represented to be grown  
28 in a halal way or who prepares, distributes, sells, or  
29 exposes for sale any food represented to be halal shall  
30 comply with all requirements of the Director, including, but  
31 not limited to, recordkeeping, labeling and filing, in  
32 accordance with rules adopted by the Director.

33       (f) Neither an animal represented to be grown in a halal  
34 way to become food for human consumption, nor a food

1 commodity represented as halal, may be offered for sale by a  
2 dealer until the dealer has registered documenting  
3 information of the certifying Islamic entity specialized in  
4 halal food or the supervising Muslim Inspector of Halal Food  
5 with the Director.

6 (g) The Director shall adopt rules to carry out this  
7 Section in accordance with the Illinois Administrative  
8 Procedure Act.

9 (h) It is an unlawful practice under this Act to violate  
10 this Section or the rules adopted by the Director to carry  
11 out this Section.